

**JUDICIAL STAFF EDUCATION COMMITTEE**  
**August 6, 2009**  
**Meeting Minutes**

**Members Present:**

Mark Stodola, Chair  
Kip Anderson \*  
Dyhanna Anderson  
Shelly Bacon  
Glendalynn Cobb \*  
Rafaela de Loera \*  
JT Hilton  
George Hofer \*

Heather Kamin  
Bob Lawless \*  
Joe Legander  
Elisa Ochoa \*  
David Mc Cullum \*  
Coleen Stevens \*  
Judy Thompson-Ng  
Amy Wood

**Staff Present:**

Deb King  
Deanna Carter  
Vikki Cipolla-Murillo

*Telephonic attendance \**

Guest:  
Laura Beeson-Davis

**1. Welcome and Call To Order:**

- a. Mark Stodola called the meeting to order at 10:10 a.m.
- b. Sixteen members attended. Laura Beeson – Davis accompanied Judy Thompson- Ng; she will take over Judy's position on the committee in January 2010.
- c. Introductions: Jeff Schrade, Education Services Division Director (in absentia), Deanna Carter, Education Services Administrative Assistant.
- d. The Education Services Division is in the process of recruiting a Specialist V to replace a vacant mission critical position in the judicial education unit.

**2. Review Minutes:**

- a. February 25, 2009 minutes approved with no changes. Judy Thompson-Ng moved to approve the minutes. Amy Wood seconded the motion. The motion passed unanimously (2009-0806-M01).

**3. Program Planning Report:**

- a. Frontline Security Broadcast, June 25, 2009 - Broadcast covered workplace violence and continuity of operations for emergency preparedness; it received a high rating – 3.5. Enrollment was lower than usual (200 attended), possibly due in part to the marketing. Target audience was unclear (staff vs. management level training.) Had the program been described as workplace violence, it might have attracted more people. It was still considered cost effective, based on the participant hours. Viewing via independent learning was not tracked. This would increase participant hours if tracked.
- b. Judicial Employee Code of Conduct Broadcast, September 30, 2009 – Ethics related topic in lieu of a December ethics program. The proposed policies outlined in the Employee Code of Conduct are not yet in effect, and will be following the approval process through the Arizona Judicial Conference (AJC). This broadcast encourages people to provide feedback on the impact of the proposed changes and will be used as public comment in the approval process. The code models the recently passed Judicial Code of Conduct, already in effect. Broadcast DVDs will not be distributed until changes go into effect. Committee discussed considerations for creating a computer-based training (CBT) on the Code of Conduct, to be viewed during employee orientation. Workgroup to adapt broadcast DVD to CBT format: Mark Stodola, Judy Thompson-Ng.
- c. Possible Topic: New Technology Overview (November 2009)
  - i. Subtopics – Changes on the horizon, how to prepare for e-filing, re-engineering business process, preparing for CMS implementation, Electronic Document Management EDM (preparatory concepts, not specific changes.)
  - ii. Broadcast would cover a broad overview of the technology initiatives, their benefits and impact, with ideas on best practices and considerations in

- preparation of technology changes. Subsequent broadcasts could be scheduled to go more in depth on specific technology projects such as E-filing and EDM.
- iii. Joe Legander: Maricopa county clerk's office has experience using e-filing and providing e-filing training to law firms. People will confront common problems/challenges as they start to e-file in the courts. Joe Legander can assist in developing a program on the common challenges of e-filing and easily applied lessons learned to a statewide approach. (Steve Nash and Joe Silberschlag handle e-filing training.)
  - iv. Learning Objectives: 1) Build an awareness of the technology that will be implemented in the near future; 2) identify steps courts can take now in preparation for future changes. Subtopics: destruction of documents, filing deadlines, public/attorney access, overcoming resistance, how to drive paper toward electronics
  - v. Workgroup: Amy Wood, JT Hilton and Joe Legander
- d. Possible Topic: Court Core Functions (Mark Stodola) – 2010
- i. What are courts mandated to fund and what is discretionary?
  - ii. What are Court Core Functions? How are they defined?
  - iii. How do you protect them from budget cuts?
  - iv. Effect of pandemic on core functions – what is the operating plan to perform constitutionally mandated functions if you have insufficient staff?
  - v. Deb asked for permission to bring this idea to the attention of the executive office, as a topic for the March 2010 Court Leadership Conference, to discuss a time frame and venue for addressing guidelines and considerations related to this issue.
- e. Possible Topic: Public Access to Court Records Rule 123: (March 2010) Rule will be passed by year-end. Committee suggests a broadcast on best practices, with an ethics component.
- i. What is a public record and what are our responsibilities for records management? What is a records request?
  - ii. What is confidential vs. disclosable? Who has rights to access and why?
  - iii. What can be disclosed and what should a records request process include?
  - iv. How does "who is making the request" impact disclosure? Costs?
  - v. Records retention (CMS download vs. copy of file)
  - vi. Can the court consider why the records are being requested or how they will be used, when determining whether to disclose?
  - vii. Are court surveillance/security tapes confidential? Are media requests treated differently than other requests?
  - viii. How to view records?
  - ix. Subject matter experts: Clerks of Court, Limited Jurisdiction, Rule 123 committee members.
- f. Possible Topic: Dealing with Changes in the Workplace - Kip Anderson suggested.
- i. Consider video materials on topic: Grief/Loss - How to deal with loss of employees due to death, attrition, lay-off? Manager vs. employee perspective, dealing with grief.
  - ii. Broadcast on broader topic: dealing with change in workplace: employee wellness, budget changes, impact of change in court cases due to recession, workload changes, morale?
- g. Facilitated materials available to accompany March 2009 broadcast DVD "A Historical and Contemporary View of Court's Role in Government and Society".
- i. Facilitator's guide: Accompanies broadcast DVD. Facilitator is provided with additional materials to expand DVD training; includes guide and suggested activities.

- ii. Individual viewer materials: Q & A activities to accompany broadcast DVD for independent learning.
- h. Satellite Broadcast Webcast Testing: AOC tested webcast delivery of broadcast during Frontline Security broadcast. Generally successful. Pima County experienced technical problems. ESD will continue testing on AJIN website to additional sites at upcoming broadcast.
  - i. Non AJIN courts may be able to view future broadcasts via streaming over the internet. ESD is still in the testing phase. Members expressed concern over streaming sensitive topics which are not appropriate for general public viewing (i.e. security in the courts.)
- i. Lectora Training Software license purchased for CBT Development: – ESD has purchased one license and loaded it onto a laptop. JSEC, training coordinators, field trainers and probation will be given authorization to check-out the laptop to develop training materials, though the license will not be used concurrently. Those checking out the materials will be required to teach themselves how to use the software. Lectora utilizes PowerPoint and is easy to learn. Maricopa County training materials for Legal Advice v. Legal Information materials were converted to Lectora and distributed at the Training Coordinator Conference in May.
- j. Centra:
  - i. AOC Upgrade: AOC will be upgrading Centra on August 31. Anyone using Centra will need to reinstall the Centra plug-in prior to accessing a Centra class. This will require they contact AOC Support Center to receive administrative rights to conduct the reinstallation. This is a one-time fix and simple to do.
  - ii. Class Pilot: Deb King conducted a pilot online training for CLIA, entitled, “So You Want to be a Supervisor” to see how soft skill training translated to an online delivery method, and how to conduct a small group discussion on an instructor led distance learning class?
  - iii. Demo Class and Train-the-Trainer: Deb King/staff will demo the class again for anyone interested in considering facilitating Centra. Enrollees will attend as participants to get a sense of timing and functionality. Pima County is set up for training on September 4. On October 30, Deb will hold a train-the-trainer to teach those interested in facilitating, how to convert curriculum to the Centra environment and teach how to be a facilitator.
  - iv. Centra Demo for Committee: Staff demonstrated Centra functionality - participant and facilitator views. Member recommended that Centra training not exceed 1 to 1.5 hour in length as it is difficult to sit for long periods of time using this medium. In a synchronized class the facilitator needs to engage each person by assigning tasks to keep focused (i.e. breakouts – one person write on board, another report back, then switch duties on succeeding breakouts.) In pre-recorded sessions there is no interactivity, therefore there needs to be a way to measure learning through knowledge checks, emailed assignments to instructor following class or supplemental materials just as done with CBTs.
  - v. Live CBT Preview Class: Laura Beeson-Davis stated that JCCE offers a live CBT class initially by the facilitator for all JCCE developed CBTs and it is counted as live training vs. independent learning because there is group discussion during the CBT session. The same is true for broadcast materials presented to a group with discussion/group activities as video is being watched – facilitation of video materials in a classroom environment is a very viable learning tool. The Frontline Security broadcast is a good example. Use recorded session to open discussion on points in broadcast.
  - vi. Recorded classes: They do not get viewed by staff. Many staff don’t know where to locate Centra to attend a recorded online class.
  - vii. Centra calendars of events: Would this product get utilized if available?

Challenges are:

1. Centra is not a convenient medium for training. It is often difficult for staff to break away from front counter to take a 3 hour Centra class, and the courts lack training room space.
2. Classes need to be under 1.5 hours.
3. Pima county members have many restrictions on use of distance learning (DVDs, CBTs, Centra) due to their firewall.
4. Trends are also changing on what types of classes are needed for incoming court employees (i.e grammar, phone skills, writing skills vs. technical computer skills.) Younger generation relates to distance learning.
5. Deb inquired if staff would be interested in taking her Centra phone skills class. Judy Thompson would send staff and give feedback.

#### **4. Regional /Local Updates and Subcommittee Reports:**

- a. JCCE – Joint Council on Court Education Judy Thompson-Ng: Meeting July 24, 16 southern region participants: Pima, Pinal, Cochise, Graham, Greenlee, Santa Cruz, Gila. The two-day Summer Splash training event included 15 courts – Pima, Graham, Greenlee, Santa Cruz (13 classes - 97 participants). AOC provided FARE and Defensive Driving. Laura Beeson-Davis will replace Judy Thompson-Ng as JCCE Chair in January 2010. Next meeting October 23, 2009. JCCE initiated a guest speaker invite to provide COJET approved training during each meeting. Suzette Williams provided 1 COJET hour.
- b. NACE – Northern Committee on Judicial Education – Dyhanna Anderson: Committee met May 14 at the Joint JCCE/NACE meeting following the Training Coordinator Whistle Stop workshop. Next meeting is TBD. Yavapai County held a successful 2-day June conference. Mohave and Navajo attended. They will hold a Fall conference in the Verde Valley during the AJACS rollout, September 18. The conference is open to neighboring counties (Navajo, Mohave.)
- c. Maricopa County training report – Joe Legander: Clerk of the Superior Court offered training in June. Forty-five classes were attended at various court sites throughout the valley. Maricopa County Superior Court has placed an 8 hour hard cap on training in 2009. Attendance at training conference was its weakest ever due to cap – employees are not allowed to exceed the 8 hours. Joe Legander is hoping for a return to the 16 hour minimum in the coming year as the reduction in COJET hours has resulted in many cuts to the training department budget. Clerk of court will be putting on training to prepare staff for how to handle court functions in the event large numbers of court employees are absent due to the H1N1 (Swine Flu) virus.
- d. Arizona Courts Association (ACA) Conference – Shelly Bacon: ACA will hold a meeting on August 25 to discuss plans for 2010. Due to the 8 hour reduction in training the committee will cut its Fall conference. Spring conference in April will most likely be held.
- e. Security Subcommittee Report – Bob Lawless: Met February 12, 2009. Next meeting is September 18.
  - i. The subcommittee is now a full subcommittee of JSEC. Bob Lawless is Chair, replacing Paul O'Connell. Nicki O'Keefe discussed committee realignment with JSEC and recommends meetings 3 times per year. Looking at adding one court administrator and judge to subcommittee, namely Judge Roxanne Song Ong.
  - ii. Goals: Focusing on continuity of operation plans and security officer training.
  - iii. Training: Rick Szerbicki and Bob have taught security classes at prior JSC conferences. Kevin Jeffries and Barb Ortolono have developed a defensive tactics refresher curriculum package for security officers and sent that curriculum out. Some issues the committee is dealing with are cost to run program,

attendance numbers, and considerations for possible train-the-trainer road shows which would require the hosting agency to cover travel and meals for Kevin and Barb – possibly through grant funding.

- iv. Release of court security video: Mohave requires a court order to release video and sent a copy of the policy to other counties requesting it.
- v. Security Survey: Court Administrators and security reps were asked various questions (i.e. What type of court, who provides security for your court, type of security features in the court, what type of orientation and training is designed for court officers, would you be willing to use training already developed by the committee, and willing to send officers to defensive tactics training?) They received good responses to many varied situations.
- vi. Flu Pandemic – Nicki O’Keefe working with the state department of Health to gather information and procedures on H1N1 (Swineflu) virus predicted to be more serious this Fall than previous flu seasons. Courts need to stay on top and be prepared with continuity of operation plans.
- vii. Court Security global mailing address working thanks to AOC ITD and Shelly Bacon.
- viii. Frontline Security broadcast: Nicki and Rick’s presentation was well received.

**5. Action Item: Survey to Training Coordinator on mid-year COJET hours:**

- i. total staff needing hours – 2300 or 40% out of 9000 employees
- ii. Over 4000 or more still need hours as of July 1<sup>st</sup>
- iii. Does not account for judges, who are mostly done with training
- iv. 37% still need ethics (1/3 of people)

**6. Action Item: Input on Independent Learning (Joe Legander):**

- a. Joe Legander stated that the Administrative Code guidelines are written to view the classic classroom setting as the only way to receive viable face-to-face learning. This is coming into conflict with present learning trends, issues of budget and vast distance learning mediums available now. Millennials learn differently. Joe argued the following proposed changes. Judy Thompson-Ng motioned to add the definition non-facilitated to replace independent learning. Shelly Bacon 2nded the motion. The committee unanimously agreed.
  - i. *Definitions changed to: “~~Independent Learning~~ ‘Non-facilitated Learning’ means an individual study program, undertaken without the aid of an instructor, facilitator, or active co-participants, accompanied by written or verbal feedback evaluating the program. ~~Independent Learning~~ Non-facilitated Learning programs may include videotape, audiotape, writing, unsupervised ride-alongs or, -tours, or some computer-based training programs. Non-facilitated Learning programs do not allow direct interaction with a skilled facilitator or trainer, or active co-participants.”* (There is no direct interaction with facilitator, trainer or active co-participants.)
  - ii. *Video/audio tapes. Suggested including, “the viewing of a video or audio tape along with explanatory discussion or comment from a trained facilitator or in conjunction with active co-participants using a programmed study guide shall not be considered non-facilitated learning.*
    - 1. This would also include CBT training. When a CBT or film is used as part of a class, it is typically considered a live interactive training, not independent learning, because of discussion and interaction. Deb King stated that the suggested change to this section is already being done in practice by training coordinators.
  - iii. *Books. The reading of a book or other written materials, along with explanatory discussion or comment from a trained facilitator or in conjunction with active co-participants using a programmed study guide shall not be considered Non-Facilitated Learning.*

- iv. Serving as faculty or facilitator. Faculty or facilitators who achieve the maximum of 8 hours of instructor credit each year may achieve another 4 hours of non-facilitate learning in the same year.
  1. Joe: This would allow instructors/ facilitators to benefit from book and video and CBT learning as do all other employees.
  2. Deb King: The guidelines require that faculty get at least 8 hours of facilitated training, it doesn't prevent faculty from getting independent learning.
  3. Member: The 3 for 1 credit given to faculty for class preparation is done independently, thus it is considered independent learning. No further argument ensued.
- v. Tours and ride alongs. Those ride-along programs, tours or court-related visits that are led by a qualified instructor or guide, and accompanied by appropriate lecture and or handouts, shall not be construed as non-facilitated learning.
  1. Joe: Many tours are mobile experiential classes, i.e. forensic centers, CSI labs, jails tours, with a class roster, program structure, instruction, handouts, discussion and interactive activities, evaluation form. They are no different than the classroom instruction, except for the live demonstration component.) In a ride along an employee completes a form identifying what was learned during the interaction with the officer.
  2. Deb King: Training coordinators would most likely answer in a survey on, "what do you accredit as regular training?" that a planned facilitated training with learning objectives would fall under a regular class for credit whether mobile or not.
  3. One concern for Maricopa Clerk of Superior Court training coordinators is the paperwork aspect and audits. Trial courts document tours as a regular class. If Clerks office employees attend Trial Court tours, they are given regular credit in the system and Clerks office must manually change the record to reflect independent learning in accordance with the guidelines to be in accordance with the code even though he doesn't agree with tours being considered as independent learning. This is a laborious manual process.
  4. Since most training coordinators are already considering tours and ride alongs as regular training why not change the guidelines to reflect practice?
  5. Committee options to consider for dealing with the vagueness of the Administrative Guidelines: 1) add a definition on non-facilitated learning to clarify the issue, 2) clarify guidelines via a rule change through COJET, 3) interpret and provide guidelines for Training coordinators that provide consistency in interpretation.
- vi. **Motion:** Judy Thompson-Ng moved to add in the definitions section of the AO 1-302, the terms facilitated and independent. Shelly Bacon 2nded the motion. All agreed. (2009-0806-M02)

## 7. Action Item: Fast Track Planning:

- a. Chief Justice Rebecca Berch is asking all AJC committees to participate in the fast track planning (FTP) process and to provide feedback into the strategic plan, for potential strategic initiatives recommendations. Keep it simple and direct.
- b. Handout discussion:
  - i. JSEC Goal Development – Established by JSEC during Fast Track Planning; priorities for next 2 years.
  - ii. ESD Fast Track Plan for Judicial Branch –Combined goals of Education Services, COJET and its subcommittees, page 8. Twelve goals reflect all of the committees' input and each goal identifies the committees who participate in that goal.

- iii. COJET Recommended Strategic Initiatives. Prioritizes the 12 combined goals to simplify and broaden them into 4 goals/categories: Court management, Leadership, Development and Mentoring; Distance Learning; Partnership; Change Implementation. If these goals are accepted in the strategic plan they would provide COJET and its subcommittees with an education direction for the court.
- iv. Do our committee goals still fall within this umbrella of 4 strategic goals? Are our goal action items still a priority for the next fiscal year? What is the committee going to work on for the next 18 months? Goals are good. **The committee needs to re-examine the action items** under each of the goals to determine if they have been done or are not a priority now.
  1. **Action Item:** Each committee members will work on one of the four goals. Groups will meet over conference call in the next week, to review action items and decide on deliverables and what to do next. Groups may end up with a list of deliverables supportive of more than one goal; and then individuals can work on those specific deliverables.
  2. Goal I: Smaller regional trainings/outreaches
    - a. Suggestion: Due to travel restrictions, need more train-the-trainer, send one TC/Field trainer to obtain information and disseminate to entire county vs. sending staff to outside training which requires travel, use Centra.
    - b. How do we expand the use of faculty to regional areas?
    - c. Joe Legander: Maricopa Superior Court put its entire training curriculum online, available for download at [trainingcoc.maricopa.gov](http://trainingcoc.maricopa.gov). Contact Joe for questions.
  3. Goal II: Partnership and collaboration in and outside court
    - a. Identify redundancy in training for purpose of sharing resources: CBTs are a useful tool for general topic areas needing training (i.e. court business processes, biohazard training.)
  4. Goal III: Training Planning Assistance on flexible options for training
    - a. Suggestion: Collaboration and possible strategies for improving effectiveness of the newsletter. Maricopa County Clerk of Superior court teaches a class called "Laws of learning" to new employees, which explains COJET policies in depth. It is available on their website for others to download and use.
    - b. Suggestion: Initiate option for quarterly or annually sponsored program reporting by TCs to identify well developed curriculum that can be adapted for use by other counties; and identify faculty willing to teach the class at other locations if travel funding were offered by the hosting court. Resources would be marketed to training coordinators during the year. Further define on annual report what a sponsored program means, to clarify required listing.
  5. Goal IV: Quality, high standards
- c. **Action Item: Subcommittee conference call:** Schedule in next 4 to 6 weeks. Vikki will email committee members to set up a one-hour conference call for each group. Goal: By October provide an email to entire committee of the whole outlining what groups came up with.

## 8. New Business:

### a. Trainer Excellence Awards:

- i. Committee members agreed to consider expanding the Trainer Excellence awards program to include recognition for creating distance learning materials:
  1. computer-based training: Joe Legander stated that many do this on their own time without receiving COJET credit for developing the CBT – (It was suggested that the developer do one live presentation of the CBT to receive faculty COJET credit for the work involved). The committee agreed that there should be a way to recognize people who develop CBT training behind the scenes but who are not trainers.
  2. Train-the-Trainer materials and Facilitation
  3. Effective Centra Training
- ii. In line with the addition of the definitions facilitated and non-facilitated within the code, the committee decided to develop a facilitated award for the instructor (trainer of the year) and a non-facilitated award for the program development (training of the year), and to expand marketing of the trainer of the year to include Centra trainers.
- iii. CBT training recommendations could be done via a form handed out to the individual watching the CBT for consideration of a training award. Training coordinator could also recommend CBT training.
- iv. **Action Item:** A volunteer workgroup will meet to brainstorm criteria for evaluating nominations, and report back to the committee. The extended awards program could be implemented after next year.
- v. Workgroup: Rafaela de Loera, Bob Lawless, Laura Beeson-Davis, Joe Legander, Dyhanna Anderson, Shelly Bacon

### b. JSEC Appointments:

- i. Membership expiration December 31, 2009:
  1. Rafaela de Loera – Training Coordinator General Jurisdiction
  2. Cheryl Austin- Court Reporter
  3. Heather Kamin – Court Clerk, Limited Jurisdiction
  4. Judy Thompson-Ng – JCCE Chair
  5. Amy Wood – AOC Court Services
- ii. **Action Item:** Deb requested the following information:
  1. Email notification of continued interest to serve on the committee from those with expiring terms
  2. Feedback on names of potential new members, submitted to Deb via email within the next 30 days

### c. Staff Updates:

- i. Training Coordinator Whistle Stop Workshop – May 14, 2009, target audience - Training Coordinators and field trainers; 43 attended; participants received curriculum and other resource materials; Whistle Stop format - 15 minute presentations held at 10 different tables to small groups; evaluations rated high; thank you to all presenters who contributed. The workshop was held early in year as recommended in JSEC Fast Track Planning.
- ii. Education Services purchased 6 new facilitated programs on DVD/video for use and checkout by trainers and training coordinators and has offered to preview these resources for JCCE. Members can email Education Services suggestions for training programs or CBTs as “wish list” items in the event funding is available.
- iii. Mark Stodola moved to cancel the October 5, 2009. All agreed. (2009-0806-M03)
- iv. **Action Item:** Deb suggested setting a meeting date after workgroups have met. She will look for 3 meeting dates in 2010 (Tuesdays or Wednesdays) and email those dates to the committee. Committee will meet in end of November.

- d. **Action Items Summary:**
- i. Meet telephonically in respective small groups to define FTP goal deliverables. Deb King will provide a summary to committee of whole at next meeting.
  - ii. Staff will rewrite definitions for facilitated and independent learning; committee to review prior to submission to COJET.
  - iii. Work group to meet to define criteria for "Training of Year".
  - iv. Deb will provide meeting dates for 2010.
  - v. Broadcast – Technology in November and PACR in 2010
- e. Motion to adjourn the meeting: Shelly Bacon motioned and Judy Thompson-Ng 2nded the motion at 2:03 P.M.